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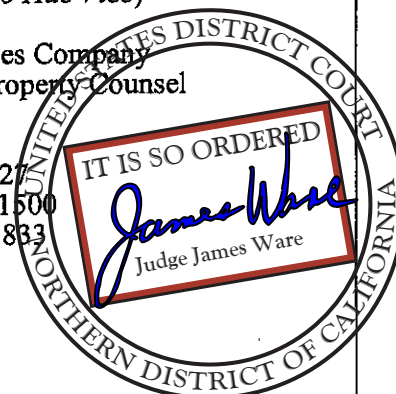
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Attorneys for Defendants
 MAURICE KANBAR, MK ENTERPRISES,
 INC., ROLLIT, LLC, and REX PRODUCTS, INC.



UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 (SAN JOSE DIVISION)

3M COMPANY,

Plaintiff,

v.

MAURICE KANBAR, MK ENTERPRISES
 INC., ROLLIT, LLC, AND REX PRODUCTS
 INC.,

Defendants.

Case No. C 06-01225 JW (HRL)

**STIPULATION AND PROPOSED
 ORDER OF DISMISSAL OF CERTAIN
 CLAIMS AND COUNTERCLAIMS AND
 WITHDRAWAL OF CERTAIN
 AFFIRMATIVE DEFENSES**

1 Plaintiff, 3M Company, and Defendants, Maurice Kanbar, MK Enterprises Inc., Rollit,
2 LLC, and Rex Products Inc., by and through their attorneys of record, stipulate as follows:

3 3M Company hereby dismisses, without prejudice, Count V of its Complaint for Untrue
4 and Misleading Advertising in Violation of Cal. Bus. & Prof. Code §§ 17500 and 17535.

5 Defendants hereby dismiss, without prejudice, their counterclaim for cancellation of 3M
6 Company's POST-IT trademark on the grounds that it is generic.

7 Defendants hereby withdraw their affirmative defense that 3M Company's POST-IT
8 trademark is generic. Defendants hereby further withdraw their affirmative defense of laches.

9 Each party shall bear its respective costs, expenses, disbursements, attorneys fees, and all
10 other expenses related to the foregoing claim, counterclaim, and defenses.

11 Dated: May 12 2008

FISH & RICHARDSON P.C.

12
13 By: 

John C. Adkisson

14 Attorney for Plaintiff
15 3M COMPANY

16
17 Dated: May 12 2008

M.K. ENTERPRISES, INC.

18 By: 

Michelle L. Landry

19 Attorney for Defendants
20 ROLLIT, LLC; REX PRODUCTS, INC.;
21 MK ENTERPRISES, INC.; and
22 MAURICE KANBAR

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

24 Date: May 14, 2008


Honorable James Ware